

# **ENVIRONMENT PROTECTION TRAINING AND RESEARCH INSTITUTE (EPTRI)**

## **Memorandum of Association**

- 1 The name of the Society shall be “The Environment Protection Training and Research Institute”.
- 2 The registered office of the society shall be at Hyderabad in the State of Telangana
- 3 The objects for which the Society is formed are:
  - i to provide for and promote the training study and research of Environmental problems and protection thereof, and related subjects in India and for this purpose:
    - a. undertake and assist in the organization of training and study courses, Conferences, seminars and lectures.
    - b. undertake, aid, promote and coordinate research through its own or other agencies such as Industries, including Universities and Training centers established by or with aid of the Government of India, Government of Telangana or any other State Government
    - c. establish schools for (i) study and orientation (ii) Training and Instructions (iii) Research and Development, and (iv) Evaluation, and such other as may be necessary to achieve the objects of society.
    - d. analyze and propose solutions to specific problems encountered in the Planning and implementation of environmental protection, pollution control, conservation of natural resources, and related programmes.
    - e. follow up in a manner to be mutually agreed upon, the training programmes organized by the training centers referred to in (b) above and to advise the Government of India, Government of Telangana or any other State Government and subject again to mutual agreement, any other Agencies, institutions, firms or authorities on their training Programmes
    - f. prepare, print and publish papers, periodicals and books in furtherance of the objects of the society.
    - g. establish and maintain libraries and information services.
    - h. “collaborate with other institutions, associations, juristic persons registered under Companies Act and Indian Partnership Act, individual eminent scientific experts and societies in India or abroad interested in similar objects”
    - i. offer fellowships, scholarships, prizes and stipends in furtherance of objects of the society

- j. to undertake any environmental protection conservation, maintenance and promotion projects including execution
  - k. to undertake, execute and carry out all or any of the above either solely or jointly or by awarding under contract or sub-contract basis
- 4 Pursuant to the aforesaid objects, Society shall take over the assets and liabilities of the present unregistered Training centre as the Environmental Protection Training Centre which was established vide G.O. Rt No. 167. Dt.01.05.1987 by the Government of Andhra Pradesh (EFES & T Department) and may:
- a. accept grants of money, securities or property of any kinds undertake and accept the management of any endowment, trust fund of donation not inconsistent with the objects of the society, on such terms as may be prescribed by the Government of Telangana or any other Government from time to time:
  - b. invest and deal with funds on monies of the society.
  - c. impose and recover fees and charges for the services rendered by it.
  - d. Purchase, hire, take on lease, exchange or other wise acquired property movable or immovable, which may be necessary or convenient for the purpose of the society and construct, alter and or maintain such buildings and works, as may be necessary for carrying out the objects of the society.
  - e. sell, hire , lease ,exchange or otherwise transfer or dispose all or any Property, movable, of the society, provided that for the transfer of the Immovable property prior approval in writing of the Government of Telangana is obtained.
  - f. borrow and raise monies on mortgages, prosier notes or other securities founded or based upon all or any of the properties and assets of the society or without any securities provided that prior approval in writing of the Government of Telangana is obtained in that behalf.
  - g. draw, accept , make, endorse, discount and deposit Government of Telangana and other promissory notes, bill of exchange cheques negotiable instruments.
  - h. create, reserve fund, sinking fund, insurance fund or any other special fund whether for depreciation, repairs, improvement, extension or maintenance of any of the properties or rights of the society and / or for recouping, wasting assets and for any other purposes for which the society deems expedient or proper to create or maintain any such fund or funds
  - i. establish a contributory provident fund for the staff of the institute
  - j. create administrative, technical, scientific, ministerial and other posts in the Society and make appointments thereto in accordance with Rules and Regulations of the society.

- k. make rules and byelaws for the conduct for the affairs of the society and add to, amend, vary or rescind them from time to time.
  - l. do all such other acts and things either alone or in conjunction with other organizations or persons as the society may consider necessary incidental or Conductive to the attainment of the above objects:
- 5 The society shall with effect from the date it is registered under the Andhra Pradesh (Telangana Area) public Societies Registration Act, 1350f/ be deemed to have been entrusted with the functions of the environmental protection Centre established by the government of Andhra Pradesh vide G.O. Rt.No. 167, Dt. 1.5.1987 (EFES & T Dept). Now amended as Andhra Pradesh Societies Registration Act, (Telangana Adaptation) Order, 2014.
  - 6 The Society's affairs shall be managed by the Board of Governors constituted for this purpose.
  - 7 All property of the society, movable or immovable shall vest in the Board of Governors.
  - 8 The income and property of the society howsoever derived, shall be applied towards the objects as set forth in this Memorandum of association subject, nevertheless, in respect of expenditure of grants made by the Government of Telangana or by other Government to such direction as the Government of Telangana or by Any other Government as the case may be from time to time give. No portion of the income and property of the society shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to persons who at any time are or have been members of the society, or to any of them or to any person claiming through them or any of them, provided that nothing herein shall prevent in good faith of remuneration to any members or other persons in return for services rendered to the society or for traveling allowance, halting allowance and other similar charges.
  - 9 If on the winding up or dissolution of the society, there shall remain after the satisfaction of its debts and liabilities any property whatsoever the same shall not be paid to or distributed among the members of the society or any of them, but shall be dealt with in the manner provided in the Andhra Pradesh Societies Registration Act, (Telangana Adaptation) Order, 2014.
  - 10 The members of the Board of Governors to whom by rules of the society the management of its affairs is entrusted are as follows:

1	Chief Secretary to Government of Telangana	Chairman
2	Principal Secretary to Government, EFS&T Department, Government of Telangana	Vice Chairman / Member
3	Director General, EPTRI	Vice Chairman
4	Principal Secretary to Government, Industries & Commerce Department, Government of Telangana	Member

5	Principal Secretary to Government, MA&UD Department, Government of Telangana	Member
6	Addl. Secretary/ Joint Secretary, Ministry of Environment, Forests and Climate Change, Government of India, New Delhi.	Member
7	Principal Secretary to Government, I&CAD Department, Government of Telangana	Member
8	Principal Secretary to Government , Finance Department, Government of Telangana	Member
9	Principal Chief Conservator of Forests, Government of Telangana or a senior officer nominated by Principal Chief Conservator of Forests.	Member
10	Member Secretary, Telangana State Pollution Control Board.	Member
11	VC & MD, Telangana New & Renewable Energy Development Corporation Limited	Member
In the absence of the Chairman, the senior officer out of the two Vice Chairmen (i.e. S.No. 2 & 3) shall chair the meeting.		

## **RULES & REGULATIONS:**

### **1 SHORT TITLE :**

These rules and regulations may be called the “Rules and Regulations of the Environment Protection Training and research Institute”

### **2 INTERPRETATION**

In these rules and regulations the following words and abbreviations shall have the meaning given against them unless there is anything contrary in the subject of context:

- i. The Board of Governors shall mean the Board of Governors of the Institute, which is constituted as under rule - 3.
- ii. The chairman shall mean the chairman of the Board of Governors of the Institute, which is constituted as under rule-3.
- iii. The ‘Director General’ shall mean Director General of the Environment Protection Training and Research Institute
- iv. The Executive Committee shall mean the Executive Committee of the Institute constituted under Rule 9

- v. Financial year shall mean the accounting year commencing from 1<sup>st</sup> April to the ending 31<sup>st</sup> March.
- vi. The Government of Telangana shall mean the Administrative Department of the Government of Telangana concerned with the Environment subject.
- vii. The Government of India shall mean the Administrative Department of the Government of India concerned with the Environment subject.
- viii. Any other State Govt. means the concerned department of the State Govt. dealing with the environment subject.
- ix. The Institute shall mean 'Environment Protection Training and Research Institute'
- x. The Member shall mean a member of the Board of Governors other than invitee.
- xi. The Vice-Chairman shall mean the Vice- Chairman of the Board of Governors of the Institute
- xii. Rule means any of the rules and regulations of the Institute
- xiii. The word year shall mean the calendar year unless it specifically mentioned as Financial Year.

### **3 CONSTITUTION OF THE BOARD OF GOVERNORS**

1	Chief Secretary to Government of Telangana	Chairman
2	Principal Secretary to Government, EFS&T Department, Government of Telangana	Vice Chairman / Member
3	Director General, EPTRI	Vice Chairman
4	Principal Secretary to Government, Industries & Commerce Department, Government of Telangana	Member
5	Principal Secretary to Government, MA&UD Department, Government of Telangana	Member
6	Addl. Secretary/ Joint Secretary, Ministry of Environment, Forests and Climate Change, Government of India, New Delhi.	Member
7	Principal Secretary to Government, I&CAD Department, Government of Telangana	Member
8	Principal Secretary to Government , Finance Department, Government of Telangana	Member

9	Principal Chief Conservator of Forests, Government of Telangana or a senior officer nominated by Principal Chief Conservator of Forests.	Member
10	Member Secretary, Telangana State Pollution Control Board.	Member
11	VC & MD, Telangana New & Renewable Energy Development Corporation Limited	Member

In the absence of the Chairman, the senior officer out of the two Vice Chairmen (i.e. S.No. 2 & 3) shall chair the meeting.

#### **4 ROLL OF THE MEMBERS**

The Institute shall keep a roll of members giving their occupation and address and every member shall sign the same. If a member of the institute changes his address, he shall notify his new address to the Director General who shall where upon cause his new address to be entered in the roll of members. If the member fails to notify his new address given in the roll of members the same shall be deemed to be his address.

#### **5 TERM OF OFFICE**

The term of the office of the members of the Board of Governors shall be for two years. No member shall be on the board for more than two terms, except those appointed by designation in their Ex-officio capacity

#### **6 FUNCTIONS & POWERS OF THE BOARD OF GOVERNORS**

The Board of Governors shall have the following powers and functions namely to:

- a. Constitute the executive committee in accordance with Rule 9.
- b. Approve the yearly annual work and finance plan of the institute drawn up by the Executive committee.
- c. Nominate auditors
- d. Approve the annual report prepared by the executive Committee.
- e. Consider the balance sheet and audited accounts for out going year.
- f. Add, delete or/and amend any Rule under memorandum of association, byelaws and service conditions of the employees of the institute. The decision of the Board in this regard shall be final.
- g. Frame bye-laws not inconsistent with these rules, approve annual work plan, budget, re- appropriation of funds, investment of funds, financial statements, create, maintain and dispose capital assets. The board shall be competent to delegate any of its powers to the Executive Committee or Director General.
- h. The Board shall have powers to take any decision which may not be falling within the scope of the above listed powers in the best interest of the Institute

- i. to frame and add or delete or amend the service conditions of the employees of the Institute

## **7 PROCEEDINGS OF THE BOARD OF GOVERNORS**

- a. The meetings of the Board of Governors shall be at such date, time and place as may be determinate by the Chairman.
- b. The Board of Governors shall meet as often as may be considered necessary, but not less than 4 times in a financial year and the interval between any two consecutive meetings shall be less than four months.
- c. All meetings of Board of Governors shall be called by the notice under the hand of the Director General.
- d. Every notice calling a meeting of the Board of Governors shall state the time and place at which such meeting will be held and shall be served upon every member of the Governing body not less than 10 clear days before the day appointed for the meeting.
- e. Any accidental omission to give notice to or the non –receipt of notice by, any member or other person, to whom it should be given, shall not invalidate the proceedings at the meeting.
- f. If the chairman is not present at the meeting of the Board of Governors the Vice-Chairman shall be the chairman of the meeting. If the Chairman and Vice- Chairman are both not present, any member of the Board of Governors nominated by the Chairman in writing shall be the chairman.
- g. One third of total members present in person shall form a quorum at every meeting of the Board of Governors. However any businesses of urgent nature which may be necessary for the Board of Governors to perform may be carried out by circulation among all its members and any resolution so circulated and approved by one third of members signing shall be as effected and binding as if the resolution had been passed at the meeting of the Board of Governors
- h. All disputed questions at meetings of the Board of Governors shall be determined by vote.
- i. Every member of the Governing body shall have one vote.
- j. In case of equality of votes the Chairman shall have casting vote.
- k. The notice may be served upon any member of the Board of Governors either personal or by sending it through post in an envelope addressed to such members at his address in the roll of members.

## **8 THE EXECUTIVE COMMITTEE**

- a) There shall be an Executive Committee (EC) of the Institute consisting of the following members on permanent basis.

- |      |   |   |           |
|------|---|---|-----------|
| i.   | DG EPTRI                                | - | Chairman. |
| ii.  | Principal Secretary, Finance Department | - | Member    |
| iii. | Member secretary TSPCB                  |   | - Member  |
| iv.  | Head, CSIR-NEERI, Zonal Centre, Hyd'bad |   | - Member  |
| v.   | Principal Secretary, I&CAD Department   |   | -Member   |

(Member nominated by the BoG from among its members)

- b) The Executive Committee shall function notwithstanding any vacancy there in and notwithstanding any defect in the appointment of any members and no act or proceedings of the Executive Committee shall be invalidated or nullified merely by reason only of the existence of any vacancy therein or of any defect in the appointment of any member
- c) A member of the EC shall cease to be such member if he or she fails to attend three consecutive meetings of the Executive committee without prior leave of the absence accorded by the chairman.
- d) Any casual vacancy in the EC arising from resignation or otherwise may be filled by nomination by the chairman of Board of Governors.
- e) Every meeting of the Executive Committee shall be presided over by its chairman and in his/her absence by a member nominated by the chairman.
- f) Three members of the Executive Committee shall constitute quorum.
- g) For every meeting of the Executive Committee not less than seven clear days notice shall be given to each member, provided that the Chairman in special circumstances may call a meeting at a shorter notice.
- h) The Chairman of the EC may himself/herself call or by a requisition in writing signed by any member may require the Director General to call a meeting of the EC at any time
- i) Each member of the Executive Committee, including the Chairman thereof shall have one vote and in case there shall be an equality of votes on any question to be decided by Executive Committee, its Chairman or in his absence the person presiding over the meeting shall in addition have casting vote.
- j) The Chairman of the Executive Committee may invite any person other than a member to attend a meeting of the Executive Committee. Such invitee shall not, however, entitled to vote at the meeting.
- k) Any business which it may be necessary for the Executive Committee to perform may be carried out by circulation among all its members and any resolution so circulated and approved by majority of the members signing shall be as effectual and binding as if the resolution had been passed at



a meeting of the Executive Committee, provided that at least three members have recorded their views on the resolution.

## **9 FUNCTIONS AND POWERS OF THE EXECUTIVE COMMITTEE**

- (a) Subject to the general control and directions of the Board Governors the Executive Committee shall be responsible for the management and administration of the affairs of the Institute in accordance with these rules and the bye- laws made there under for the furtherance of its objects and shall have all powers which may be necessary or expedient for the purpose.
- (b) Without prejudice to generality of the forgoing sub-rule the Executive committee shall have the following functions namely:
  - i. to prepare and executive detailed plans and programmes for the furtherance of the objects of the Institute.
  - ii. to create such posts, appointments and control such staffs other than those whose appointment specific provision has been made elsewhere, as may be required for the efficient management of the affairs of the Institute and to regulate the requirements and conditions of their service.
  - iii. to draw up the annual work and finance plan of the institute to be submitted for approval of the Board of Governors.
  - iv. to prepare the annual report and accounts of the Institute for the consideration of the Board of Governors.
- (c) The Executive Committee may by a resolution delegate any of its powers to the chairman of the E.C or any Director of the Institute.

## **10 FUNDS OF THE SOCIETY**

The Funds of the society may consist of the following:

- a. Grants made by the Government of Telangana or any other Government
- b. Contributions from other sources.
- c. Income from investment
- d. amounts collected as fees for conducting trainings/courses
- e. amounts received on account of consultancy
- f. receipts from other sources including money borrowed with or with out security
- g. funds from other agencies for carrying activities within the charter of the institute.

## **11 ACCOUNTS & AUDIT**

### **a) Accounts and Audit**

- i. The institute shall maintain proper Accounts and other relevant records and prepare an annual statement of accounts including the balance sheet in such form as may be prescribed by the Government of Telangana.
  - ii. The accounts of the institute shall be audited annually by the Accountant General of Telangana and any expenditure incurred in connection with the audit of the accounts of the institute shall be payable by the institute
  - iii. The accountant General shall have the same rights, privileges and authorities in connection with the audit of accounts of the Institute as the Accountant General has in Connection with the audit of Government accounts in particular shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Institute.
- b) An annual report of the proceedings of the institute and all work undertaken during the financial year shall be prepared by the Board of Governors. Copies of the Annual Report and yearly accounts approved by the Board shall be forwarded to the Government.
- c) The Director General shall also set up an internal / independent audit system to be taken up by the Chartered Accountants.

## **BYLAWS OF EPTRI**

1. Preparation of budget estimates, appropriation, re-appropriation of funds and other related matters shall be regulated in accordance with the scheme formulated by the Institute as per the resolutions adopted by the Board of Governors from time to time.
2. The Board of Governors shall approve the budget and the Director General shall be the authority to incur expenditure as per approved budget.
3. The Board of Governors may delegate any of its powers to the Director General, or Director (Development) or Director (Programmes) as considered necessary from time to time.
4. All contracts shall be executed on behalf of the Institute by an officer or officers of the Institute as authorized by the Chairman of the Executive Committee / Director General. The form and substance of all contracts shall be approved by the Director General..
5. The Director General of the Institute or any other officer authorized by the Chairman of the Executive Committee shall have the power to file and defend suits and other procedures on behalf of the Institute and shall have the power to compromise, settle or refer to arbitration any dispute relating to the Institute. The Chairman of the Executive Committee shall have the powers to nominate a competent person to execute pleading and all other documents/ petitions/applications to be filed in any court including arbitration on behalf of the Institute
6. The funds of the Institute may be invested only in such a manner as may be prescribed by the Board of Governors
7. All investments of the funds of the Institute shall be made in the name of the Institute. All purchases, sales, or alterations of such investment shall be effected on the authority of the Chairman of Board of Governors and all contracts, transfer deeds or other documents necessary for the purchasing, selling or altering the investments shall be executed under the Authority of the Director General The safe custody of the

scripts/securities if any, will remain in the personal charge of an officer of the Institute authorized by the Director General for the purpose and will be verified once in six months in the Register of securities maintained for the purpose. A certificate of verification will be recorded by the authorized officer of the Institute in the Register.

8. Funds will not be drawn from the Bank except by a cheque signed and counter signed by officers as may be duly empowered in this regard by the Director General.
9. Notwithstanding any thing contained in these Byelaws, the Board shall have the power to relax the requirement of any Rule to such extent and subject to such conditions as it may be considered necessary.
10. The Board may formulate and approve schemes providing benefits to the contract employees of the Institute from time to time.
11. Any Government Rule/Order relating to reservations for weaker sections in employment shall be examined by the Board of Governors with reference to applicability of such orders to EPTRI and take suitable decisions from time to time
12. Any alteration in amendment to bye-laws shall be carried out with the approval of the Board of Governors